

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

ROBERT DILLOW,

Plaintiff,

V.

**VIRGINIA POLYTECHNIC INSTITUTE
AND STATE UNIVERSITY, et al.,**

Defendants.

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Case No. 7:22cv280

MOTION FOR LEAVE TO FILE BRIEF IN EXCESS OF TWENTY-FIVE PAGES

Defendants Virginia Polytechnic Institute and State University, Shara Penermon, Steven Schuh, Katie Polidoro, Anthony Scott, and Frances Keene, by counsel, hereby request leave to file a brief in support of their Motion to Dismiss Pursuant to Rule 12(b)(6) in excess of twenty-five pages. Plaintiff adds several additional claims in his Amended Complaint, and defendants' memorandum addresses multiple procedural and substantive hurdles that are dispositive of Plaintiff's claims that must be addressed lest defendants waive the argument. Finally, defendants have offered additional arguments for the Court's consideration and confirming why the case should be dismissed *with prejudice*. Given these circumstances and the significance of the issues at stake, defendants submit that good cause exists for permitting defendants to exceed the Court's twenty-five page limit for briefs.

WHEREFORE, defendants respectfully request that the Court enter an Order granting their Motion for Leave to File Brief in Excess of Twenty-Five Pages and granting such further relief as the Court deems just and proper.

Respectfully submitted,

VIRGINIA POLYTECHNIC INSTITUTE AND
STATE UNIVERSITY, SHARA PENERMON,
STEVEN SCHUH, KATIE POLIDORO, ANTHONY
SCOTT, and FRANCES KEENE

/s/

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Katie Polidoro, Anthony Scott, and Frances
Keene*



CERTIFICATE OF SERVICE

I hereby certify that on October 5, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically send notification of such filing to all counsel of record.

/s/ Nathan H. Schnetzler
Of Counsel

